

CHAPTER NO. 386

SENATE BILL NO. 2077

By Cooper, Cohen

Substituted for: House Bill No. 1955

By McDonald

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7, Chapter 83 and Title 12, Chapter 4, Part 1, relative to authorizing multi-year contracts for water storage tank painting and other maintenance under certain circumstances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 4, Part 1, is amended by adding the following language as a new section to be designated as follows:

12-4-123.

(a) As used in this section, the term "governmental entity" means any county, municipality, metropolitan government, town, utility district, or other municipal or public corporation of this state.

(b) Notwithstanding any other provision of law or private act to the contrary, a governmental entity may enter into multi-year contracts for painting and other maintenance of water storage tanks and appurtenant facilities procured through a request for proposals process. The request for proposals process shall invite prospective proposers to participate and shall indicate the service requirements and the categories used for evaluating the proposals, together with the relative weight of each category. Such categories shall include such factors as qualifications, experience on similar projects, availability of workers, technical approach, minority participation, cost, and/or any additional factor or factors deemed relevant by the procuring governmental entity; cost is not to be the sole criterion for evaluation. Proposers shall be given at least thirty (30) days from public advertisement of the request for proposals to consider the evaluation factors set forth in the solicitation documents before submitting proposals. The contract shall be awarded to the best proposer, using the evaluation criteria set forth above, who meets the minimum required qualifications.

(c) Any governmental entity may, at its option, require such multi-year contracts to be competitively bid.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 25, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 9th day of June 2005


PHIL BREDESEN, GOVERNOR